

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 09-20326

v.

Honorable Nancy G. Edmunds

CLARENCE HENRY COHEN (D-9),

Defendant.

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**ORDER DENYING DEFENDANT'S  
MOTION FOR RECONSIDERATION [609]**

On February 17, 2022, the Court entered an order denying Defendant Clarence Henry Cohen's third motion for compassionate release under 18 U.S.C. § 3582(c)(1)(A) after finding there were no extraordinary and compelling reasons that would warrant a sentence reduction in this case. (ECF No. 608.) The matter is now before the Court on Defendant's motion for reconsideration of that order. (ECF No. 609.)

Defendant relies in large part on the same arguments he previously made and this Court rejected—some of which more than once. But motions for reconsideration “are not the proper vehicle to relitigate issues previously considered.” *See Nagle Indus., Inc. v. Ford Motor Co.*, 175 F.R.D. 251, 255 (E.D. Mich. 1997) (internal quotations and citation omitted). Thus, the Court need not readdress Defendant's arguments regarding Amendment 790 to the sentencing guidelines, the pandemic, his health, his rehabilitation, and an alleged sentencing disparity.

Defendant also asserts that the Court erred by relying on the fact that he was released from prison to home confinement a few months ago pursuant to the CARES Act.

He cites to another case in which a defendant similarly moved for a sentence reduction despite having been released under the CARES Act due to the threat of being returned to prison once the pandemic is over. (See *United States v. Patel*, E.D. Mich. No. 2:11-cr-20468.) But there the court found this argument premature and the issue not ripe for review. (*Id.* at ECF No. 1717.) Thus, that case is of no avail to Defendant and does not establish any error in the Court's analysis. The possibility that Defendant may be returned to prison remains speculative at this time and does not constitute an extraordinary and compelling reason warranting a sentence reduction.

For the foregoing reasons, Defendant's motion for reconsideration is DENIED.

SO ORDERED.

s/Nancy G. Edmunds  
Nancy G. Edmunds  
United States District Judge

Dated: March 29, 2022

I hereby certify that a copy of the foregoing document was served upon counsel of record on March 29, 2022, by electronic and/or ordinary mail.

s/Lisa Bartlett  
Case Manager